

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1824 be amended to read as follows:

1           Page 12, line 3, after "(b)." insert "If:  
2           **(1) the commission determines that an electric utility is**  
3           **eligible for the financial incentives described in subsection (a);**  
4           **and**  
5           **(2) the electric utility seeks to recover capital costs in**  
6           **connection with the electric utility's conservation and load**  
7           **management program;**  
8           **the commission shall determine whether any of the infrastructure**  
9           **or equipment to be deployed by the electric utility in connection**  
10          **with the electric utility's conservation and load management**  
11          **program will be used by the electric utility to provide broadband**  
12          **over power lines or any other communications service (as defined**  
13          **in IC 8-1-32.5-3) to customers. If the commission determines that**  
14          **the electric utility will use any of the infrastructure or equipment**  
15          **to provide broadband over power lines or any other**  
16          **communications service to customers, the commission shall reduce**  
17          **the financial incentives otherwise available to the electric utility**  
18          **under subsection (a) by an amount proportional to the electric**  
19          **utility's use of the infrastructure or equipment to provide**  
20          **broadband over power lines or other communications service to**  
21          **customers. However, the commission may not reduce the financial**

1       incentives otherwise available to the electric utility under  
2       subsection (a) with respect to that part of a broadband over power  
3       lines system or other communications service that is used and  
4       useful in providing electric utility service to customers.".

(Reference is to EHB 1824 as reprinted March 30, 2007.)

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Senator HERSHMAN